

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

CONSOLIDATED TRANSACTION
PROCESSING LLC,

Plaintiff,

v.

WALGREENS CO., D/BA WALGREENS,

Defendant.

C.A. No. 4:23-cv-1078-ALM

JURY TRIAL DEMANDED

PROPOSED SCHEDULING ORDER

Court's Proposed Deadlines	Agreed Proposed Deadlines	Description
<i>(10 days after Mgmt. Conf. ("CMC"))</i> Friday, June 21, 2024	Friday, June 21, 2024	P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions (and P.R. 3-2 document production) to be served.
<i>(5 weeks after CMC)</i> Tuesday, July 16, 2024	Tuesday, July 16, 2024	Join Additional Parties
<i>(5 weeks after CMC)</i> Tuesday, July 16, 2024	Tuesday, July 16, 2024	P.R. 3-3 Invalidity Contentions (and P.R. 3-4 document production) to be served. To the extent not already required to be disclosed, exchange Mandatory Disclosures on all issues, including damages.
<i>(No later than 45 days after CMC)</i> Friday, July 26, 2024	Friday, July 26, 2024	Parties to exchange proposed terms for construction and identify any claim element governed by 35 U.S.C. § 112, ¶ 6 (P.R. 4-1).

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<i>(7 weeks after CMC)</i> Tuesday, July 30, 2024	Tuesday, July 30, 2024	Privilege logs to be exchanged by parties (or a letter to the Court stating that there are no disputes as to claims of privileged documents).
<i>(No later than 65 days after CMC)</i> Thursday, August 15, 2024	Thursday, August 15, 2024	Parties to exchange preliminary proposed claim construction and extrinsic evidence supporting same. (P.R. 4-2).
<i>(13 weeks after CMC)</i> Tuesday, September 10, 2024	Tuesday, September 10, 2024	Parties' Final Amended Pleadings. (A motion for leave is required.)
<i>(No later than 95 days after CMC)</i> Saturday, September 14, 2024	Monday, September 16, 2024	Joint Claim Construction and Prehearing Statement to be filed. (P.R. 4-3). Provide an estimate of how many pages are needed to brief the disputed claims.
<i>(16 weeks after CMC)</i> Tuesday, October 1, 2024	Tuesday, October 1, 2024	Respond to Amended Pleadings.
<i>(No later than 125 days after CMC)</i> Monday, October 14, 2024	Monday, October 14, 2024	Completion date for discovery on claim construction. (P.R. 4-4).
<i>(No later than 140 days after CMC)</i>	Tuesday, October 29, 2024	Opening claim construction brief. (P.R. 4-5(a)).

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Tuesday, October 29, 2024		
<i>(No later than 2 weeks after claim construction ("CC") brief)</i> Tuesday, November 12, 2024	Tuesday, November 12, 2024	Responsive claim construction brief. (P.R. 4-5(b)).
<i>(No later than 7 days after responsive CC brief)</i> Tuesday, November 19, 2024	Tuesday, November 19, 2024	Reply claim construction brief. (P.R. 4-5(c)).
<i>(4 weeks before CC hearing)</i> Tuesday, November 5, 2024	Tuesday, November 5, 2024	Submit technology synopsis/tutorial (both hard copy and disk).
<i>(At least 10 days before CC hearing)</i> Saturday, November 23, 2024	Monday, November 25, 2024	Parties to file joint claim construction and chart. (P.R. 4-5(d)). Parties shall work together to agree on as many claim terms as possible.
Claim Construction Hearing	Tuesday, December 3, 2024	Claim Construction hearing December 3, 2024, at 9:00 a.m. at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090

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Tuesday, December 3, 2024		
<i>(5 weeks after CC hearing)</i> Tuesday, January 7, 2025	Tuesday, January 7, 2025	Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this Court's order or the Patent Rules, nor an excuse to delay disclosure of information. It is a "catchall" deadline for provision of all remaining information which may be relevant to a claim or defense of any party at trial.
<i>(9 weeks after CC hearing)</i> Tuesday, February 4, 2025	Tuesday, February 4, 2025	Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(a)(2)(B). Comply with P.R. 3-7 (Designation of Willfulness Opinions).
<i>(11 weeks after CC hearing)</i> Tuesday, February 18, 2025	Tuesday, February 18, 2025	Parties to Designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B). Note: Objections to any expert, including <i>Daubert</i> motions, shall be filed within 3 weeks after the expert's Report has been disclosed. Such objections and motions are limited to ten pages each.
<i>(13 weeks after CC hearing and no later than 110 days prior to the filing of the Joint Final PTO)</i> Tuesday, March 4, 2025	Tuesday, March 4, 2025	File Dispositive Motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7. Responses to motions shall be due in accordance with Local Rule CV-7(e).
<i>(13 weeks after CC hearing)</i>	Tuesday, March 4, 2025	Fact Discovery Deadline. All fact discovery must be served in time to be completed by this date.

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Tuesday, March 4, 2025		
<i>(5 weeks before final pretrial conference "PTC")</i> Monday, June 16, 2025	Monday, June 16, 2025	Notice of intent to offer certified records.
<i>(5 weeks before PTC)</i> Monday, June 16, 2025	Monday, June 16, 2025	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order, see www.txed.uscourts.gov , and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).
<i>(30 days before PTC)</i> Saturday, June 21, 2025	Monday, June 23, 2025	Motions in limine due. File Joint Final Pretrial Order. Exchange Exhibits and deliver copies to the Court. At this date, all that is required to be submitted to the Court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.
<i>(4 weeks before PTC)</i> Monday, June 23, 2025	Monday, June 23, 2025	Deposition Designation due. Each party who proposes to offer a deposition shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross-examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the Court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations, the applicable Federal Rules of Civil Procedure, and the Court's rulings on objections.

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(2 weeks before PTC) Monday, July 7, 2025	Monday, July 7, 2025	<p>Response to motions in limine due.</p> <p>File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (This does not extend the deadline to object to expert witnesses.) If numerous objections are filed, the Court may set a hearing prior to the final pretrial conference.</p> <p>If Parties will be requesting daily copy of the transcript during trial, they must notify the Court's court reporter, Chris Bickham, Chris_Bickham@txed.uscourts.gov, by this date.</p>
July 21, 2025	July 21, 2025	Final Pretrial Conference at 2:30 p.m. at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090
To be determined		10:00 a.m. Jury Selection and Trial at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090.